

CONSTITUTIONAL AMENDMENTS

COMPENSATION AND PER DIEM OF MEMBERS OF LEGISLATIVE ASSEMBLY

A Concurrent Resolution to amend Section 45 of Article 2 of the Constitution by omitting the word "five" and inserting in lieu thereof "eight", so as to read as follows:

Sec. 45. Each member of the legislative assembly shall receive as compensation for his services for each session eight dollars per day, and ten cents for every mile of necessary travel in going to and returning from the place of the meeting of the legislative assembly on the most usual route.

ELECTION OF STATE OFFICIALS

A Joint Resolution to amend and re-enact Section 82 of Article 3, of the Constitution by adding the words, "and with the exception of the Commissioners of Railroads," and "Of the Commissioners of Railroads elected at the general election in 1926, the one having held his office for the longest time shall serve for six years, the one having held his office the next longest time shall serve for four years, and the one having held this office the shortest time shall serve for two years, provided, however, if two or more such commissioners shall have held such office an equal or no length of time, the one having the highest vote shall serve for the longer term; thereafter one commissioner of railroads shall be elected every two years, and shall hold his office for a term of six years and until his successor is elected and qualified.", so as to read as follows:

Sec. 82. There shall be chosen by the qualified electors of the State at the times and places of choosing members of the legislative assembly, a secretary of state, auditor, treasurer, superintendent of public instruction, commissioner of insurance, three commissioners of railroads, one attorney general and one commissioner of agriculture and labor, who shall have attained the age of twenty-five years, shall be citizens of the United States, and shall have the qualifications of state electors. They shall severally hold their offices at the seat of government, and, with the exception of the commissioners of railroads, for the term of two years and until their successors are elected and duly qualified, but no person shall be eligible to the office of treasurer for more than two consecutive terms. Of the commissioners of railroads elected at the general election in 1926, the one having held his office for the longest time shall serve for six years; the one having held his office the next longest time shall serve for four years, and the one having held this office the shortest time shall serve for two years, provided, however, if two or more such commissioners shall have held such office an equal or no length of time, the one having the highest vote shall serve for the longer term; hereafter one commissioner of railroads shall be elected every two years, and shall hold his office for a term of six years and until his successor is elected and qualified.

TO THE VOTERS OF NORTH DAKOTA:

We recommend that you vote for and support the amendment to our State Constitution to be submitted to the electors of the Primary of June 10th, whereby Commissioners of Railroads shall hereafter be elected for a six-year term, one every two years; thus creating a continuing board, with no experienced members holding over at every election.

We believe the provisions of this amendment are sound, their purpose non-political, and such change in the term of the Commissioners a step in the direction of improving public service; and that there is no reason why this amendment should not be supported by all voters without respect to party or faction.

R. W. FRAZIER,

Chairman, Republican State Central Committee.

B. F. SPAULDING,

Chairman, Real Republican State Committee.

L. L. TWITCHELL,

Chairman, Independent Voters Association.

ALFRED S. DALE,

Manager, Nonpartisan Campaign Committee.

INITIATED GASOLINE TAX LAW

An Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels and

for the Disposition of the Revenue Derived Therefrom; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing all Acts or parts of Acts in conflict with the provisions of this act.

Be It Enacted by the People of the State of North Dakota:

Section 1. That the words, terms and phrases in this act, are for all of the purposes hereof, defined as follows: (a) "Motor vehicles" means and including all vehicles, engines or machines, movable or immovable, which are operated or propelled in whole or in part by internal combustion of any one or more of the "motor vehicle fuels" defined herein.

(b) "Motor vehicle fuels" means and includes gasoline, benzine, naphtha, benzol, and such other volatile and inflammable liquids as may be produced or compounded for the purpose of operating or propelling motor vehicles, except the product commonly known as kerosene oil.

(c) "Dealer" means and includes any person or persons, firm, association or corporation who imports or causes to be imported from any other state or country, any motor vehicle fuel for operating or propelling motor vehicles for use, distribution or sale in and after the same reaches the State of North Dakota; and also any person or persons, firm, association or corporation who produces, refines, manufactures or compounds any motor vehicle fuel in the State of North Dakota for use, distribution or sale within this state.

Section 2. That each and every dealer in motor vehicle fuel, as defined in this act, who is now engaged or who may hereafter engage in his own name, or in the name of others or in the name of his representative or agents in this state, in the sale or use of motor vehicle fuel as herein defined, shall, not later than the 15th day of each calendar month render to the State Auditor, on forms prescribed, prepared, and furnished by the State Auditor, a sworn statement of the number of gallons of motor vehicle fuel sold or used by him or them during the preceding calendar month, which statement shall be sworn to by one of the principal officers, in case of domestic corporation, or by the resident general agent, or agents, or attorney-in-fact, or by a chief accountant or officer. In case of a foreign corporation, by the managing agent or owner in case of a firm, association or individual, and shall contain a statement of the quantities of motor vehicle fuel sold or used within the State of North Dakota from his or their respective places of business, and if any of such motor vehicle fuel has been sold and delivered by said dealer to customers in the original package, whether in tank cars, barrels or other packages and in the same form and condition in which the same was imported, said statement shall show the amount of motor vehicle fuel so sold and the names and addresses of the persons, firm or corporations to whom the same was sold.

Said dealer shall pay a license tax of two cents per gallon on all motor vehicle fuel used and sold by him other than such fuel sold by him or them in the original packages as above specified, and shall have the option of paying said tax of two cents per gallon on all motor vehicle fuel sold by him or them in the state in the original packages in which the same was imported as above specified.

Whenever any sale is made by a dealer of motor vehicle fuel in the original packages in which the same was imported as above specified, such dealer shall deliver to the purchaser thereof an invoice of such motor vehicle fuel, stating the name and address of the purchaser, the quantity and kind of fuel sold, and whether or not said dealer assumes and agrees to pay the license tax on said fuel above specified, and such dealer shall transmit to the State Auditor at the same time he shall render the statement above specified, duplicate copies of all such invoices issued and delivered by him during the period covered by such statement.

Section 3. Every dealer paying such license tax or being liable for the payment thereof, shall be entitled to charge and collect the sum of two cents per gallon, on such motor fuel sold by him, as a part of the selling price thereof.

Section 4. That all dealers in motor vehicle fuel in the State of North Dakota shall file a duly acknowledged certificate with the State Auditor on forms prescribed, prepared and furnished by the said State Auditor, which shall contain: The name under which such dealer is transacting business within the State of North Dakota; the names and addresses of the several persons constituting the firm or partnership and, if a corporation, the corporate name under which it is authorized to transact business, and the names and addresses of its principal officers, resident general agent and attorney-in-fact.

